



Public Law 91-185
91st Congress, H. R. 14571
December 30, 1969

An Act

To amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

SECTION 1. Section 211(a) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note), is further amended by striking out "Six and one-half per centum" in the first sentence and inserting "Seven per centum".

Central Intelligence Agency Retirement Act of 1964 for Certain Employees, amendment.

SEC. 2. Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended:

78 Stat. 1045.

(a) by striking out in paragraph (a) "five consecutive years of service," and inserting "three consecutive years of service (or, in the case of an annuity computed under section 232 and based on less than three years, over the total service),";

(b) by striking out from the first sentence of paragraph (b) "or remarriage of such surviving wife or husband" and inserting "or upon remarriage prior to attaining age sixty of such surviving wife or husband";

(c) by striking out in paragraph (c) the items "40 per centum", "\$600", "\$1,800", "50 per centum", "\$720", and "\$2,160", and inserting "60 per centum", "\$900", "\$2,700", "75 per centum", "\$1,080", and "\$3,240";

(d) by adding new paragraph (g):

"(g) In the case of remarriage on or after age sixty an annuity shall be payable if remarriage has occurred on or after July 18, 1966, and if the surviving wife or husband, immediately before such remarriage, was receiving an annuity from the Central Intelligence Agency Retirement and Disability Fund. The annuity of a surviving spouse terminated as a result of remarriage which occurred prior to age sixty and on or after July 18, 1966, shall be restored at the same rate commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

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"(1) the surviving spouse elects to receive this annuity instead of a survivor benefit to which he may be entitled, under this or another retirement system for Government employees, by reason of the remarriage; and

"(2) any lump sum paid on termination of the annuity is returned to the fund.

No annuity shall be paid by reason of this paragraph for any period prior to October 20, 1969. No annuity shall be terminated solely by reason of the enactment of this paragraph."; and

(e) by adding new paragraph (h):

"(h) In computing an annuity under this section the service credit of a participant who retires, except under section 231, on an immediate annuity or dies leaving a survivor or survivors entitled to annuity includes, without regard to the limitations imposed by paragraph (a), the days of unused sick leave to his credit under a formal leave system, except that these days will not be counted in determining average basic salary or annuity eligibility. The contribution specified in section 252 shall not be required for days of unused sick leave credited under this paragraph."

50 USC 403 note.

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78 Stat. 1046. SEC. 3. Section 231(a) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by striking ", but this provision shall not increase the annuity of any survivor" from the last sentence.

SEC. 4. (a) Section 232(b) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended:

(1) by striking "five years" and inserting "eighteen months"

(2) by inserting, after "221(a)", ", except that the computation of the annuity of the participant under such section shall be at least the smaller of (i) 40 per centum of the participant's average basic salary, or (ii) the sum obtained under such section after increasing the participant's service of the type last performed by the difference between his age at the time of death and age sixty"; and

(3) by striking "remarriage of the widow or dependent widower" and inserting "upon remarriage prior to attaining age sixty of the widow or dependent widower (subject to the payment and restoration provisions of section 221(g))".

83 STAT. 848 (b) Sections 232 (c) and (d) are amended by striking "five years" and inserting "eighteen months".

83 STAT. 849 SEC. 5. Section 291 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended:

82 Stat. 902. (a) by inserting "1 per centum plus" immediately after the word "by" in paragraph (a) (2); and

(b) by amending paragraphs (b) (2) and (b) (3) to read:

78 Stat. 1045. "(2) For the purpose of computing the annuity of a child under section 221(c) that commences after October 31, 1969, the items \$900, \$1,080, \$2,700, and \$3,240 appearing in section 221(c) shall be increased by the total per centum increases allowed and in force under this section on or after such day, and, in case of a deceased annuitant, the items 60 per centum and 75 per centum appearing in section 221(c) shall be increased by the total per centum allowed and in force to the annuitant under this section on or after such day.

"(3) The annuity of each surviving child receiving an annuity under section 221 immediately prior to November 1, 1969, shall be recomputed effective November 1, 1969, in accordance with paragraph (b) (2). No increase allowed and in force prior to such date under section 291 shall be included in the recomputation of any such annuity, and this paragraph shall not operate to reduce any annuity."

Effective dates.

SEC. 6. (a) The amendments made by section 1 shall become effective at the beginning of the first applicable pay period beginning after December 31, 1969.

(b) The amendments made by sections 3, 4, and 2, with the exception of 2(c), shall become effective October 20, 1969.

(c) The amendments made by sections 2(c) and 5 shall become effective November 1, 1969.

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(d) The amendments made by sections 2(a), 2(e), 3, and 4(a) (1) - Certain persons, (2) shall not apply in the cases of persons retired or otherwise separated prior to October 20, 1969, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if such sections had not been enacted.

Approved December 30, 1969.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 91-654 (Comm. on Armed Services).
SENATE REPORT No. 91-624 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 115 (1969):
Dec. 1: Considered and passed House.
Dec. 22: Considered and passed Senate.